

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE**

Index No.: _____/19

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ANTHONY SCIOLINO,

**Plaintiffs designate
ERIE COUNTY
as place of trial.**

Plaintiff,

-against -

**The basis of venue is
Defendants principal place
of business.**

**DIOCESE OF BUFFALO, OBLATES OF ST.
FRANCIS DE SALES, and DE SALES CATHOLIC
SCHOOL,**

**Plaintiff's residence
address is
5780 Petluma Hill Rd.
Santa Rosa, CA 95404**

Defendant(s).

SUMMONS


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To the above-named defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York): and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

**A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT,
ERIE COUNTY ON _____ IN COMPLIANCE WITH CPLR §§305(a) AND
306(a).**

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 
Jordan K. Merson
Attorneys for Plaintiff
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

TO:

DIOCESE OF BUFFALO

795 Main Street
Buffalo, NY 14203

DE SALES CATHOLIC SCHOOL

6914 Chestnut Ridge Road
Lockport, NY 14094

OBLATES OF ST FRANCIS DE SALES

1555, 2043 Parkside Blvd.
Toledo, OH 43607

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE**

Index No.: _____/19

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ANTHONY SCIOLINO**Plaintiff,****-against -****VERIFIED
COMPLAINT****DIOCESE OF BUFFALO, OBLATES OF ST.
FRANCIS DE SALES and DE SALES CATHOLIC
SCHOOL,****Defendant(s).**

-----X

Plaintiff(s), above named, complaining of the defendants, by **MERSON LAW,****PLLC.,** respectfully allege(s):**NATURE OF THE CLAIM**

1. This is a case of plaintiff Anthony Sciolino who was sexually abused as a child by Father Lehr Barkenquest ("Barkenquest") at and of St. Francis De Sales Catholic High School and/or De Sales Catholic School (collectively referred to herein as "St. Francis"), Oblates of St. Francis De Sales ("Oblates") and Diocese of Buffalo ("Diocese").
2. Barkenquest was an agent, servant and/or employee of St. Francis, the Diocese and Oblates. Barkenquest was known among the community and the children as a sexual predator.
3. Despite the Diocese, Oblates and/or St. Francis's knowledge that Barkenquest sexually abused children and/or had the propensity to sexually abuse children, the Diocese,

Oblates and/or St. Francis allowed the Barkenquest unfettered access to children, including on Defendants' premises and property without supervision.

4. In approximately 1971 and continuing until 1975, Barkenquest, while under the scope of employment with the Diocese, Oblates and/or St. Francis and while acting on behalf of the Diocese, Oblates and/or St. Francis, would sexually abuse Plaintiff, then approximately between thirteen and sixteen years old, by forcing Plaintiff into a room, molesting and fondling him, force him to touch Barkenquest, and otherwise sexually abuse him.
5. The sexual abuse occurred in St. Francis and other venues.
6. Plaintiff brings this lawsuit to recover for the emotional and physical suffering he endured because of the negligence of the Diocese of Buffalo, Oblates of St. Francis De Sales and/or St Francis De Sales Catholic High School and to make sure no other child is forced to suffer the abuse and physical and mental trauma she felt and continues to feel.

PARTIES

7. At all times herein mentioned defendant **DIOCESE OF BUFFALO** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
8. At all times herein mentioned, defendant **DIOCESE OF BUFFALO** was located at 795 Main Street, Buffalo, New York 14203..
9. At all times herein mentioned, Barkenquest was an agent, servant and/or employee operating under the direction and control of defendant **DIOCESE OF BUFFALO**, and its agents, servants and/or employees.

10. At all times herein mentioned defendant **OBLATES OF ST. FRANCIS DE SALES** was a not for profit foreign corporation.
11. At all times herein mentioned, defendant **OBLATES OF ST. FRANCIS DE SALES** was located at 1555. 2403 Parkside Blvd., Toledo, Ohio 43607.
12. At all times herein mentioned, Barkenquest was an agent, servant and/or employee operating under the direction and control of defendant **OBLATES OF ST. FRANCIS DE SALES**, and its agents, servants and/or employees.
13. At all times herein mentioned **DE SALES CATHOLIC SCHOOL** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
14. At all times herein mentioned, defendant **DE SALES CATHOLIC SCHOOL** was located at 6914 Chestnut Ridge Road, Lockport, New York 14094.
15. At all times herein mentioned, Barkenquest was an agent, servant and/or employee operating under the direction and control of defendant **DE SALES CATHOLIC SCHOOL**, and its agents, servants and/or employees.
16. At all times herein mentioned, defendants **DIOCESE OF BUFFALO, DE SALES CATHOLIC SCHOOL** and **OBLATES OF ST. FRANCIS DE SALES** were agents, servants, employees and/or alter egos of each other.
17. At all times herein mentioned, defendants **DIOCESE OF BUFFALO, DE SALES CATHOLIC SCHOOL** and **OBLATES OF ST. FRANCIS DE SALES** together, in concert operated and controlled St. Francis De Sales Catholic High School located at 6914 Chestnut Ridge Road, Lockport, New York 14904.

FACTS OF THE CASE

18. Defendants **DIOCESE OF BUFFALO, OBLATES OF ST. FRANCIS DE SALES** and/or **DE SALES CATHOLIC SCHOOL's** negligence and recklessness caused Barkenquest to have access to children, including on Diocese, Oblates and/or St. Francis property without proper supervision, despite their knowledge that Barkenquest sexually abused children and/or had the propensity to sexually abuse children and therefore are responsible for the injuries that Plaintiff incurred because but for Defendants **DIOCESE OF BUFFALO, OBLATES OF ST. FRANCIS DE SALES** and/or **DE SALES CATHOLIC SCHOOL's** negligence, Plaintiff would not have suffered the mental and physical anguish inflicted by Barkenquest. Defendants' gross negligence, reckless, wanton, and/or willful conduct supports punitive liability.
19. Barkenquest sexually assaulted Plaintiff and other children of St. Francis in Lockport, New York. Nonetheless, defendant **DIOCESE OF BUFFALO**, defendant **OBLATES OF ST. FRANCIS DE SALES** and/or defendant **DE SALES CATHOLIC SCHOOL** failed to remove Barkenquest from his position or to take any steps to keep the dangerous predator away from children. In fact, the Diocese, Oblates and/or St. Francis continued to allow, encourage and/or permit Barkenquest to have unfettered access to children, on Defendant's premises without proper supervision.
20. Barkenquest was the wrestling coach at St. Francis, which was a St. Francis, Oblates and Diocese supervised, controlled and/or sponsored extra-curricular activity in which Plaintiff participated.
21. In approximately 1971 and continuing through approximately 1975, Barkenquest would sexually abuse Plaintiff repeatedly.

22. During wrestling practice, Barkenquest would molest plaintiff, force him into a room, fondle him, force him to touch Barkenquest and otherwise sexually abuse him.
23. Barkenquest would further force Plaintiff to drink alcohol and perform sexual acts on him.
24. Plaintiff informed the principal of St. Francis, Father Nelson, on two separate occasions when the abuse began. Neither Father Nelson nor any other agent, servant or employee of the Diocese, Oblates or St. Francis took any action to stop Barkenquest from sexually abusing plaintiff.
25. Barkenquest used the power and authority provided to him by the Diocese, Oblates and/or St Francis to repeatedly sexually abuse Plaintiff all while acting under the scope of employment with the Diocese, Oblates and/or St. Francis.
26. As a result of the actions of Barkenquest, Plaintiff felt and continues to feel ashamed and uncomfortable.
27. As such, Plaintiff suffered catastrophic and lifelong injuries as a result of defendant **DIOCESE OF BUFFALO**, defendant **OBLATES OF ST. FRANCIS DE SALES** and/or defendant **DE SALES CATHOLIC SCHOOL's** negligence in undertaking a duty, including but not limited to in locis parentis, in failing to protect the children of its parishes and of its community safe from Barkenquest despite the Diocese, Oblates and/or St. Francis having knowledge that Barkenquest abused and/or sexually abused children and/or had the propensity to abuse and/or sexually abuse children, and/or allowing Barkenquest to continue to have his position of authority and power, with unfettered access to children, as well as the diocese failed to adequately supervise Barkenquest.

AS AND FOR A FIRST CAUSE OF ACTION FOR NEGLIGENCE

AS TO THE DIOCESE OF BUFFALO

28. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 27. inclusive, with the same force and effect as if hereinafter set forth at length.
29. At all times mentioned herein, defendant **DIOCESE OF BUFFALO** owed a duty of care, including but not limited to in locis parentis, to keep the children and students of its school safe from the abuse and/or sexual abuse by its agents, servants and or employees under its supervision and control, including on company premises, that ultimately befell the plaintiff, and they had a duty to supervise Barkenquest.
30. At all times mentioned herein, defendant **DIOCESE OF BUFFALO** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
31. As a result of the negligence of defendant **DIOCESE OF BUFFALO** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
32. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
33. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
34. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

35. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SECOND CAUSE OF ACTION FOR NEGLIGENCE

AS TO OBLATES OF ST. FRANCIS DE SALES

36. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 35. inclusive, with the same force and effect as if hereinafter set forth at length.
37. At all times mentioned herein, defendant **OBLATES OF ST. FRANCIS DE SALES** owed a duty of care, including but not limited to in locis parentis, to keep the children and students of its school safe from the abuse and/or sexual abuse by its agents, servants and or employees under its supervision and control, including on company premises, that ultimately befell the plaintiff, and they had a duty to supervise Barkenquest.
38. At all times mentioned herein, defendant **OBLATES OF ST. FRANCIS DE SALES** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
39. As a result of the negligence of defendant **OBLATES OF ST. FRANCIS DE SALES** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
40. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

41. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
42. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
43. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A THIRD CAUSE OF ACTION FOR NEGLIGENCE

AS TO DE SALES CATHOLIC SCHOOL

44. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 43. inclusive, with the same force and effect as if hereinafter set forth at length.
45. At all times mentioned herein, defendant **DE SALES CATHOLIC SCHOOL** owed a duty of care, including but not limited to in locis parentis, to keep the children and students of its school safe from the abuse and/or sexual abuse by its agents, servants and or employees under its supervision and control that ultimately befell the plaintiff, and they had a duty to supervise Barkenquest.
46. At all times mentioned herein, defendant **DE SALES CATHOLIC SCHOOL** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
47. As a result of the negligence of defendant **DE SALES CATHOLIC SCHOOL** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

48. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
49. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
50. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
51. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION AS TO DIOCESE OF BUFFALO

52. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 51., inclusive, with the same force and effect as if hereinafter set forth at length.
53. Defendant **DIOCESE OF BUFFALO** had a duty to supervise and prevent known risks of harm to the children and students of its school by its agents, servants and/or employees.
54. Defendant was negligent in hiring, retaining and supervising their personnel, such as Barkenquest, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of school officials and other home and school supervisors who should have properly been supervising the agents, servants and/or employees and church officials to ensure the safety of the children of its school.

55. Defendant **DIOCESE OF BUFFALO** knew or should have known Barkenquest sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to supervise Barkenquest.
56. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
57. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
58. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
59. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
60. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION AS TO OBLATES OF ST. FRANCIS DE SALES

61. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 60., inclusive, with the same force and effect as if hereinafter set forth at length.
62. Defendant **OBLATES OF ST. FRANCIS DE SALES** had a duty to supervise and prevent known risks of harm to the children and students of its school by its agents, servants and/or employees.

63. Defendant was negligent in hiring, retaining and supervising their personnel, such as Barkenquest, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of school officials and other home and school supervisors who should have properly been supervising the agents, servants and/or employees and church officials to ensure the safety of the children of its school.
64. Defendant **OBLATES OF ST. FRANCIS DE SALES** knew or should have known Barkenquest sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to supervise Barkenquest.
65. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
66. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
67. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
68. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
69. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SIXTH CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS TO DE SALES CATHOLIC SCHOOL**

70. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 69., inclusive, with the same force and effect as if hereinafter set forth at length.
71. Defendant **DE SALES CATHOLIC SCHOOL** had a duty to supervise and prevent known risks of harm to the children and students of its school by its agents, servants and/or employees.
72. Defendant was negligent in hiring, retaining and supervising their personnel, such as Barkenquest, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of school officials and other home and school supervisors who should have properly been supervising the agents, servants and/or employees and church officials to ensure the safety of the children of its school.
73. Defendant **DE SALES CATHOLIC SCHOOL** knew or should have known Barkenquest sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to supervise Barkenquest.
74. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
75. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
76. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.

77. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

78. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE SEVENTH CAUSE OF ACTION FOR NEGLIGENT
INFLICTION OF EMOTIONAL DISTRESS AS TO DIOCESE OF BUFFALO**

79. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 78., inclusive, with the same force and effect as if herein set forth at length.

80. Defendant **DIOCESE OF BUFFALO** and its agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Barkenquest, the agent, servant and/or employee who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

81. Defendant **DIOCESE OF BUFFALO** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

82. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Barkenquest.

83. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in the Barkenquest sexually abusing Plaintiff.

84. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

85. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
86. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
87. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE EIGHTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION
OF EMOTIONAL DISTRESS AS TO OBLATES OF ST. FRANCIS DE SALES

88. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 87., inclusive, with the same force and effect as if herein set forth at length.
89. Defendant **OBLATES OF ST. FRANCIS DE SALES** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Barkenquest, the agent, servant and/or employee who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
90. Defendant **OBLATES OF ST. FRANCIS DE SALES** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
91. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Barkenquest.

92. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in the Barkenquest sexually abusing Plaintiff.
93. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
94. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
95. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
96. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE NINTH CAUSE OF ACTION FOR NEGLIGENT INFLECTION
OF EMOTIONAL DISTRESS AS TO DE SALES CATHOLIC SCHOOL

97. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 96., inclusive, with the same force and effect as if herein set forth at length.
98. Defendant **DE SALES CATHOLIC SCHOOL** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Barkenquest, the agent, servant and/or employee who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
99. Defendant **DE SALES CATHOLIC SCHOOL** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other

improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

100. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Barkenquest.
101. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in the Barkenquest sexually abusing Plaintiff.
102. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
103. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
104. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
105. This action falls within exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiff demands judgement against defendants in such sum as a jury would find fair, adequate and just.

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 

Jordan K. Merson
Sarah R. Cantos
Attorneys for Plaintiff
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE****Index No.:**

_____/19

ANTHONY SCIOLINO,**Plaintiff,****-against -****ATTORNEY
VERIFICATION****DIOCESE OF BUFFALO, OBLATES OF ST.
FRANCIS DE SALES, and DE SALES CATHOLIC
SCHOOL,****Defendants.**

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JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC., attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true.

That the sources of his information and knowledge are investigations and records in the file.

That the reason this verification is made by affirmant and not by the plaintiff is that the plaintiff is not within the County where the attorney has his office.

Dated: New York, New York
August 14, 2019



JORDAN K. MERSON

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

ANTHONY SCIOLINO,

Plaintiff,

-against -

DIOCESE OF BUFFALO, OBLATES OF ST. FRANCIS
DE SALES, and DE SALES CATHOLIC SCHOOL,

Defendant(s).

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC.

Attorneys for Plaintiff(s)

Office and Post Office Address. Telephone
150 East 58th Street 34th Fl.
New York, New York 10155
(212) 603-9100

To: All Parties
